

7. S46°40'04"W, a distance of 20.20 feet to a point the POINT OF BEGINNING and containing 0.456 acres of land.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on May 12, 2009: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective June 19, 2009.

CHAPTER 1413

S.B. No. 1317

AN ACT

relating to education and examination requirements for the issuance of a driver's license to certain persons.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (d), Section 521.142, Transportation Code, is amended to read as follows:

(d) If the applicant is under 25 years of age, the application must state whether the applicant has completed a driver education course *required by Section 521.1601* ~~approved by the department~~.

SECTION 2. The heading to Subchapter H, Chapter 521, Transportation Code, is amended to read as follows:

SUBCHAPTER H. EDUCATION AND EXAMINATION REQUIREMENTS

SECTION 3. Subchapter H, Chapter 521, Transportation Code, is amended by adding Sections 521.1601 and 521.167 to read as follows:

Sec. 521.1601. DRIVER EDUCATION REQUIRED. The department may not issue a driver's license to a person who is younger than 25 years of age unless the person submits to the department a driver education certificate issued under Chapter 1001, Education Code, that states that the person has completed and passed:

(1) a driver education and traffic safety course approved by the Texas Education Agency under Section 29.902, Education Code, or a driver education course approved by that agency under Section 1001.101(a)(1) of that code or approved by the department under Section 521.205; or

(2) if the person is 18 years of age or older, a driver education course approved by the Texas Education Agency under Section 1001.101(a)(1) or (2), Education Code.

Sec. 521.167. **WAIVER OF CERTAIN EDUCATION AND EXAMINATION REQUIREMENTS.** A person who has completed and passed a driver education course approved by the Texas Education Agency under Section 1001.101(a)(2), Education Code, is not required to take the highway sign and traffic law parts of the examination required under Section 521.161 if those parts have been successfully completed as determined by a licensed driver education instructor.

SECTION 4. Section 1001.004, Education Code, is amended to read as follows:

Sec. 1001.004. **COST OF ADMINISTERING CHAPTER.** (a) *Except as provided by Subsection (b), the [The] cost of administering this chapter shall be included in the state budget allowance for the agency.*

(b) *The commissioner may charge a fee to each driver education school in an amount not to exceed the actual expense incurred in the regulation of driver education courses established under Section 1001.101(a)(2).*

SECTION 5. Subsection (a), Section 1001.055, Education Code, is amended to read as follows:

(a) The agency shall print and supply to each licensed or exempt driver education school driver education certificates to be used for certifying completion of an approved driver education course to satisfy the requirements of Sections [Section] 521.204(a)(2) and 521.1601, Transportation Code. The certificates must be numbered serially.

SECTION 6. Section 1001.101, Education Code, is amended to read as follows:

Sec. 1001.101. **DRIVER EDUCATION COURSE CURRICULUM AND EDUCATIONAL MATERIALS [TEXTBOOKS].** (a) The commissioner by rule shall establish the curriculum and designate the educational materials [textbooks] to be used in:

(1) a driver education course for minors and adults; and

(2) a driver education course exclusively for adults.

(b) A driver education course under Subsection (a)(2) must:

(1) be a six-hour course; and

(2) include instruction in:

(A) alcohol and drug awareness;

(B) the traffic laws of this state;

(C) highway signs, signals, and markings that regulate, warn, or direct traffic; and

(D) the issues commonly associated with motor vehicle accidents, including poor decision-making, risk taking, impaired driving, distraction, speed, failure to use a safety belt, driving at night, failure to yield the right-of-way, and using a wireless communication device while operating a vehicle.

(c) A course approved under Subsection (a)(2) may be offered as an online course.

(d) A driving safety course or a drug and alcohol driving awareness program may not be approved as a driver education course under Subsection (a)(2).

SECTION 7. The changes in law made by this Act apply to an application for the issuance of a driver's license filed on or after the effective date of this Act. An application for the issuance of a driver's license filed before the effective date of this Act is governed by the law in effect on the date of the filing, and that law is continued in effect for that purpose.

SECTION 8. This Act takes effect March 1, 2010.

Passed the Senate on May 13, 2009: Yeas 23, Nays 8; the Senate concurred in House amendment on May 30, 2009: Yeas 23, Nays 8; passed the House, with amendment, on May 27, 2009: Yeas 145, Nays 3, one present not voting.

Approved June 19, 2009.

Effective March 1, 2010.